

REMARKS

Claims 1-11 are pending and await action on the merits.

Claim 1 has been amended to recite the phrase "comprising at least one block structure, graft structure or star-shaped structure." Claim 2 has been amended in a similar fashion to claim 1. It is clear from the entire disclosure of the present specification that the Inventors intended the multi-branched polymer to have at least one of these features (block structure, graft structure or star-shaped structure) and not be limited to any single one feature. Support for this amendment can be found in the paragraph bridging pages 2-3 of the specification and in the Examples. For example, Examples 1-7 of the specification are multi-branched polymers having a block structure which comprises a grafted chain. Example 9 is a multi-branched polymer having a star structure which comprises a linear chain and a grafted chain. Examples 14, 15 and 16 are multi-branched polymers having a star structure which comprises a grafted chain.

Claims 3 and 4 have been amended by replacing the term "contains" with the term "comprises."

No new matter has been added by way of the above-amendment.

Telephone Interview

Applicants note with appreciation that Examiner Mullis held a telephone Interview with Applicants' representative, Garth M. Dahlen, Ph.D., Esq. (#43,575) on January 12, 2006 to discuss the outstanding Election of Species Requirement. During the course of the Interview, it became apparent to Dr. Dahlen that the claims were being interpreted by Examiner Mullis in a way not intended by Applicants. Claim 1 as originally filed recited:

"A multi-branched polymer containing a block structure, a graft structure or a star-shaped structure..."

The Examiner has taken the position that this phrase limits claim 1 to a multi-branched polymer having: a) a block structure; b) a graft structure; or c) a star-shaped structure. However, Dr. Dahlen noted that Applicants intended for claim 1 to encompass a multi-branched polymer having at least one: a) block structure; b) a graft structure; or c) a star-shaped structure.

In order to clarify the invention, Applicants have hereinabove amended claims 1 and 2 to recite the phrase "at least one." In view of this amendment, the variables set out in the first paragraph on page 2 of the October 26, 2005 Election of Species Requirement do not make sense. For example, the variables are too limiting in that they do not include a species having more than one of a) a block structure; b) a graft structure; or c) a star-shaped structure.

Accordingly, Applicants herein make an election from one of Examples 1-16 from the specification which is consistent with the Examiner's request in the second paragraph on page 2 of the October 26, 2005 Election of Species Requirement.

For the purpose of examination of the present application, Applicants elect Species Example 1, with traverse.

Claim(s) 1, 2 and 5-11 encompass the elected species.

Should the Examiner not find prior art, which renders the elected species unpatentable, or should Applicants distinguish from any cited art, with or without amendment, the Examiner is required to expand the search to include a reasonable number of additional species. (See MPEP 809.02). Applicants respectfully submit that the scope of claim 1, includes a reasonable number of additional species for searching/examination purposes.

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In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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